

CUSF Executive Committee

Tuesday, October 3, 2016

12:00 -- 2:00 pm

USM System, Adelphi Conference Room 1

ATTENDANCE:

Chair: Robert B. Kauffman, FSU	Present
Past Chair: Virletta Bryant, CSU	Present
Vice Chair: Nagaraj Neerchal, UMBC	Present
Secretary: Patricia Westerman, BSU	Present
At-large: Chris Brittan-Powell, CSU	Present
At-large: Elizabeth Clifford, TU	Present
VCAA: Joann Boughman, USM: Vice Chancellor for Academic Affairs	Absent for religious holiday
Asst to Sr VCAA: Zakiya Lee, USM	Present
Ann Moultrie, USM: Vice Chancellor for Communications	Present
Tom Hoffacker, USM:	Present

12:03 Convene meeting

Robert Kauffman called the meeting to order.

12:03 Approval of September 9, 2016 Executive Committee Minutes

The minutes of the September 9, 2016 executive committee meeting were approved.

12:04 Report on Chancellor's Council— Robert Kauffman

With regard to budget, the Governor is working on the budget. Revenue estimates have fallen short by approximately \$250 million as of the end of last year. The state administration is preparing accordingly. Governor Hogan tends to be more conservative on budget than previous administrations.

3. Board of Regents (BOR) Chair Jim Brady and other members of the BOR will be visiting institutions for major campus events. The BOR is developing a schedule for these visits.

12:07 Report from USM

Joann Boughman is absent from our meeting today for religious holiday. Zakiya Lee will give the USM report after Ann Moultrie's presentation.

12:13 Ann Moultrie gave an update on USM logo, which is rolling out today. Updating and modernizing the logo shows that USM is "on the move." Ann asked Chancellor Caret for money to update the logo, and her team wanted it to retain its traditional tie to state but to be an update. Ann reported that they reached out to heads of councils, people within the System office, legislators, members of business community, etc. Everyone loves the Maryland flag and wanted to keep it as part of our logo.

Ann stated that her office want to show within the logo that the USM goals are consistent with the goals of the state. Functionally, the logo works very well, with horizontal, vertical, and circular orientations. The logo process was started in May, and some people have deep feelings about logos, so it can be difficult to make a change. Robert Kauffman noted that CUSF will now continue to work on its logo, and that the new USM logo fits well with what CUSF has been leaning toward adopting.

Nagaraj Neerchal asked if there is a guideline according to which the councils should develop their logos.

Ann reported that they have never mandated that the council use our logos. If the CUSF decides to use the USM logo, however, CUSF would need to follow the USM guidelines for using it. Ann encourages everyone to use all materials with the old logo, rather than throw them away, before changing to using the new logo.

12:41 USM Report: Zakiya Lee provided the following information:

1. Diversity and Inclusion (D/I) initiative: Towson students recently requested a policy change/statement regarding renaming buildings, some of which are named after slaveholders (and segregationists?). These students are skeptical as to how Chancellor Caret and the BOR view these issues. Jim Brady spoke to the BOR D/I workgroup and to the BOR Education Policy

and Student Life committee, stating that the Towson students don't trust the BOR, with regard to the D/I issue. As such, he urged the need to continue hearing students' voices, to continue the open dialog, and to ensure increased trust. The BOR Ed Policy and Student Life committee discussed the matter also. All of this has been reported to the D/I council, which represents all institutions. Jim Brady now asks the D/I council to determine how to rebuild the trust and listen to the students' concerns. The D/I council has had 2 meetings, and has three subcommittees, each looking at one of the following matters:

1. Mission/vision statements of USM that include language on D/I
2. Diversity report due to MHEC each year: make it more useful and more informative while meeting needs of the statute. Perhaps it should be required every two years instead of annually, so that growth can be seen.
3. Develop and administer a D/I survey in order to discover the D/I climate on campuses.

The D/I council will be proactive (as evidenced by formation of subcommittees within first two meetings). There will be some things, such as the possible renaming of buildings, that the council will not be permitted to determine, as the presidents make these decisions.

Beth Clifford noted that some Towson students were concerned that, because of the broad definition of diversity, the issue of race might get lost. The issue of intersectionality notwithstanding, they did not want race to be overlooked. She also stated that it seems that there are two different ways that buildings are named or renamed: 1. Historic figures and 2. Donors who contribute a great deal of money to the institution. She asked whether it would be difficult to imagine saying no to a big donor because of his/her possible racist attitudes, etc.

Zakiya reported that the students who raised these concerns are not members of the Council of System Students, nor Towson SGA representatives, etc.

Virletta Bryant suggested placing this item on the agenda for the joint CUSF/CUSS meeting in November.

Nagaraj raised the question regarding the BOR as to what they are doing to build the trust issue in general, not only related to this matter. He suggested that they perhaps consider having fewer closed-door meetings (especially at Chancellor's Council), so council chairs would be made aware of discussions of many matters. This would foster more transparency and more effectiveness.

Chris Brittan-Powell suggested that we consider discussing this matter in the October CUSF meeting so that we can determine CUSF's view on trust issues related to BOR. Perhaps CUSF will wish to make a statement of support on the students' position. This may or may not lead to a position statement.

Zakiya underscored that the Towson students who spoke were not representative of the governance structure, and that the student activist structure does not necessarily trust the governance structure. The student council, to a lot of students, is part of the System, so there is mistrust there.

Beth noted that the Towson SGA did, in fact, sign on to the concerns.

Robert Kauffman introduced Tom Hoffacker—HR officer in USM office—to discuss Fair Labor Standards Act (FLSA), which is on the October CUSF agenda. The Classification and Compensation committee has been working on FLSA issues for 18 months. FLSA is a rule that determines whether a person should be paid hourly or not, and it does not apply to most faculty. To be nonexempt from FLSA, one must do all three of the following: 1. Have no guaranteed minimum salary, i.e., if your pay is decreased if you work less; and 2. Do clerical work.

The salary threshold has been \$27K per year; it will now change to \$47,476 (this equates to 40% of all salaries in the Southern region). It starts on December 1 of this year. Right now, the lowest paid salary is \$23K; as of December 1, it will be \$47K. This same type of review will be done again in three years. Because the bottom is brought up now to \$47, this number may increase dramatically every three years. There is a lawsuit now of many attorneys general because there is not automatic indexing in FLSA. The committee asked for an increase in the teachers' exemption, for guidance on people working on postdocs, and for guidance on people who work part time. The committee sent comments to department of labor and wrote language for the optional retirement plan (ORP). Nonexempt employees must currently join pension plan; we asked state of MD legislature to allow, for people who move from exempt to nonexempt, to be grandfathered into ORP if they were enrolled in it prior to move. As to the questions of people who move from exempt to nonexempt status, the committee is now working on an annual leave accrual rate. The committee is also creating jobs for people who move from nonexempt to exempt. People providing counseling or instruction directly to students on academic matters—tutors, coaches who coach (do not recruit, do budgets, etc.)—must be paid at least the same as the lowest paid instructor at the institution. The committee will start communicating with employees shortly to raise awareness. The cost to USM will be approximately \$13.1million per year; affecting 2260 employees, about 40% of whom will be reclassified as nonexempt. The other 60% will be raised up to the new threshold. Next, the committee will need to work on the compression issues that will result from this change.

1:15 Robert Kauffman asked for comments on minutes of September CUSF meeting:

Chris raised the issue of the UMUC agenda item, stating that he recalled that the outstanding issue seemed to be the question of whether UMUC collegiate faculty fit the CUSF definition of "faculty." Chris stated further that if some of the people who are serving as UMUC CUSF representatives are not, in fact, faculty, then it may not be appropriate for them to serve as faculty representatives to CUSF. Chris asserted that UMUC's definition of "faculty" is not even in compliance with MHEC's definition, and that the issue of "what is faculty" is something we at CUSF should try to address. Chris suggested that we could ask Bill Chapin or Dave Parker to undertake this question.

All present discussed how faculty is defined, whether the current CUSF constitution and by-laws relate to new types of faculty, etc.

Beth noted that, since the report (by Dave, Stephanie, and Martha) on UMUC was filed 18 months ago, CUSF may wish, perhaps in spring 2017 (at the 2-year mark) to ask the UMUC

administration to respond to questions, in writing, relating to what changes have taken place at UMUC in that period: e.g., How are faculty defined? What does each faculty title refer to, at UMUC?

Virletta reminded that when the bubble model was approved by the BOR, the BOR said it was providing approval for the overall concept, but that pieces would need to be thought through, and that some of these issues may need to come back to BOR for review.

1:35 Questions for Regents:

Beth: What are your plans and directions about D/I, especially with regard to building trust?

–Beth will draft a question.

Virletta: What equivalent/comparable initiatives for HBIs and/or comprehensives to Mpower do you have in mind?

Chris: Is there an analogous effort being considered for comprehensives/HBIs?

Nagaraj: I see research universities getting 70% of the total of the enhancement budget, with the 7 comprehensives getting only 30%. What is your vision for the group that is not getting much of the enhancement money?

Beth: Within Virletta's question: While the Bpower program sounds great, we are worried that the comprehensives and HBIs will not be resourced as well as we should be, if one considers the relatively small resource allocation to comprehensives/HBIs vis a vis the much larger resource allocation being provided to two research institutions via Mpower.

Robert: The I.6.0 policy on shared governance was last reviewed by BOR 16 years ago. Given the many changes in higher education, what changes do you foresee in this policy?

Chris: Is there a systematic method by which regents are giving due fiduciary attention to the welfare of the HBCUs?

Patricia Westerman: What is your vision regarding resource allocation for HBCUs?

Nagaraj: On the workload group, what are the regents doing to communicate the faculty's true workload to legislators, the public, etc.?

2:08 Agenda for next CUSF meeting:

Mission, vision, goals: approve for one year and should look at a systematic strategic plan—
Moved and approved.

AGENDA OF OCTOBER 2016 CUSF MEETING IS APPROVED.

Robert sent a memo to Dr. Perman, chair of Presidents' Council, to ask for greater collaboration among the councils.

Nagaraj: re. Efficiency & Effectiveness (E&E): Jim Brady is seeking a headline-grabbing E&E activity. This is an opportunity for CUSF to think of a big E&E activity.

2:20 Other business

Chris raised the matter of collective bargaining rights. The SEIU was spearheading work last year in the Maryland legislature on community colleges. Albert Nekimken is our point person. Albert said that SEIU's position is that SEIU does not want to incorporate USM faculty because they don't want to raise the ire of USM. SEIU wants to introduce the same bill as last year, i.e., on community colleges only. They do not want USM to shut down the bill, which they may do if USM institutional faculty were included. Also, we need to work within different committees, as community colleges are at county level, whereas we are at state level. Right now, in state law, all state employees except faculty, have these rights; faculty are the only exceptions to that rule. CUSF has long held the position that the faculty at the individual institutions would have the right to pursue these rights. Montgomery College has AAUP representatives as their union representatives.

Robert stated that we had discussed having this as a speaker topic at a CUSF meeting.

Chris asked whether there would be discussion and reaffirmation of the CUSF collective bargaining resolution. And perhaps legislative affairs will work on this as a focus this year.

Robert suggested having the legislative affairs committee bring it up at the October CUSF meeting, and potentially have a motion for reaffirmation.

Virletta recommended posting motions on the CUSF website.

2:38 Adjourned